

**CITY OF NEWBERG CITY COUNCIL MINUTES**  
**JUNE 7, 2010**  
**7:00 P.M. MEETING**  
**PUBLIC SAFETY BUILDING TRAINING ROOM**  
**401 EAST THIRD STREET**

Work Session was held prior to the meeting. A discussion on the Affordable Housing Development Code Amendments occurred. No decisions were made.

**I. CALL MEETING TO ORDER**

Mayor Bob Andrews called the meeting to order at 7:01 PM.

**II. ROLL CALL**

**Members**

Present:	Mayor Bob Andrews	Denise Bacon	Stephen McKinney
	Bart Rierson	Wade Witherspoon	

**Members**

Absent: Marc Shelton (excused)

**Staff**

Present:	Daniel Danicic, City Manager	Terrence Mahr, City Attorney
	Howard Hamilton, Public Works Director	Janelle Nordyke, Finance Director
	David Beam, Economic Development Planner	Crystal Kelley, Minute Recorder
		Jennifer Nelson, Recording Secretary

**Others**

Present: Sergeant Mark Cooke, Senior Officer Scott Liston, Officer Thomas Sattler, Joanne Wiitala, Hank Grum, Pat Haight, and Rob Felton

**III. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was performed.

**IV. CITY MANAGER'S REPORT**

Mr. Daniel Danicic, City Manager, reminded the City Council Members of the Heart's of Gold lunch tomorrow at 11:00 a.m. at George Fox University in the commons area. The City/County dinner will be held on June 17, 2010, hosted by the City Dayton. The tier 2 report for the Newberg-Dundee Bypass has been published. A public hearing is scheduled for June 29, 2010, at Newberg High School from 3:00-8:00 PM with two sessions at 4:30 PM and 6:30 PM. The closing of the comment period will be July 19, 2010, with the July 6, 2010, City Council meeting. The 2<sup>nd</sup> Street south bank sidewalk project has been approved with the right of way given to the City; the documents have gone to property owners for signatures.

**V. PUBLIC COMMENTS**

Joanne Wiitala, Newberg Animal Shelter Friends, stated they earned \$5,000.00 from their Mega Sale. The total budget is \$435,307.00. The planned fall fundraisers will include Yappy Hour and the annual calendar sales.

## VI. CONSENT CALENDAR

1. Consider a motion adopting **Resolution No. 2010-2904** authorizing the City Manager to negotiate and enter into a Guaranteed Maximum Price Amendment for the construction of the Highway 240 Pump Station and Force Main Project with Mortenson Construction, in accordance with their contract with the City.
2. Consider a motion approving a **Proclamation** recognizing Sergeant Mark Cooke, Senior Officer Scott Liston, and Officer Thomas Sattler for actions taken saving the life of another and awarding them the Life Saving Award.
3. Consider a motion approving **City Council Minutes** for May 3, 2010.

**MOTION: Rierson/McKinney** approving the Consent Calendar including **Resolution No. 2010-2904** authorizing the City Manager to negotiate and enter into a Guaranteed Maximum Price Amendment for the construction of the Highway 240 Pump Station and Force Main Project with Mortenson Construction, in accordance with their contract with the City; a Proclamation recognizing Sergeant Mark Cooke, Senior Officer Scott Liston, and Officer Thomas Sattler for actions taken saving the life of another and awarding them the Life Saving Award; and the City Council Minutes for May 3, 2010. (5 Yes/0 No/1 Absent [Shelton]/1 Vacant) Motion carried.

## VIII. NEW BUSINESS

Consider a motion approving **Resolution No. 2010-2903** approving the replacement of the existing downtown fall banners with new banners.

TIME – 7:17 PM

*This item heard out of order from the agenda.*

Mr. David Beam, Economic Development Planner, presented the staff report (see official meeting packet for full report).

Mr. Rob Felton, Newberg Downtown Revitalization Committee Chair, stated they have shown the new design to a lot of people and received feedback to make the proposed changes.

Councilor Denise Bacon asked if a student designed it. Mr. Felton replied the designer was a George Fox University student and they are planning on purchasing fifty of the flyers.

Ms. Pat Haight felt the banners should say something to promote downtown because Newberg is not just the home of George Fox University (GFU). She thought other business names should be on the banner and she did not understand why the sign in Sherwood for GFU does not mention Newberg.

Councilor Bart Rierson asked if the banners are seasonal. Staff replied there are four seasonal banners and added there were issues in the design process only allowing the name of the city and a logo. They worked with GFU and accepted the donation they made to the City.

Councilor Stephen McKinney asked if the City pays for the other banners. Staff replied the fall banner is paid for by GFU and the others are from state grants. They are not an expense of the City.

**MOTION: Rierson/Witherspoon** adopting **Resolution No. 2010-2903** approving the replacement of the existing downtown fall banners with new banners. (5 Yes/0 No/1 Absent [Shelton]/1 Vacant) Motion carried.



## VII. PUBLIC HEARING

1. Consider a motion adopting **Ordinance No. 2010-2727** amending the Newberg Municipal Code Chapter 53 Section 53.13 Allowing for Single Family Residential Stormwater Management Fee Credits.

TIME – 7:32 PM

Mayor Andrews called for any conflicts of interest or abstentions; none appeared.

Mr. Howard Hamilton, Public Works Director, presented the staff report (see official meeting packet for full report).

Councilor Rierson asked if these were ways for home owners to improve their property and would suggest waiving the entire fee for the properties that have large swales. Staff replied there are a few instances around town that serve more than one property.

Councilor McKinney asked about the fiscal impact of the ordinance. Staff said there had been about a 2.5% response.

Mayor Andrews opened and closed the public testimony; there were no public comments. The public hearing was closed. Discussions followed about a particular neighborhood near Hazelnut and Chehalem Drive and the swales there. Staff stated the Citizen Rate Review Committee (CRRC) directed staff to come back to the issue at a later session.

Councilor Bacon stated water is best handled by the environment and not through storm drains.

**MOTION: Rierson/Bacon** adopting **Ordinance No. 2010-2727** amending the Newberg Municipal Code Chapter 53 Section 53.13 Allowing for Single Family Residential Storm water Management Fee Credits as amended. (5 Yes/0 No/1 Absent [Shelton]/1 Vacant) Motion carried.

2. Consider a motion adopting **Resolution No. 2010-2902** establishing a funded low income residential utility bill assistance program based upon information, outreach, water audits, plumbing rehabilitation, and direct utility bill credits.

TIME – 7:53 PM

Mayor Andrews called for any conflicts of interest or abstentions; none appeared.

Mr. Hamilton and Ms. Janelle Nordyke, Finance Director, presented the staff report (see official meeting packet for full report).

Councilor Witherspoon asked how many documents are actually required to be submitted as proof of low income because it is not clear. Staff replied only one document from the list is required and a committee will review the applications to determine qualification.

Mayor Andrews asked for more detail about this review committee. Staff stated it would preferably consist of one council member, one staff member, and one citizen, but there are not any specific recommendations.

Discussion commenced on recommended changes to the application.

Councilor Rierson stated he is not sure about unemployment. He likes the idea of providing evidence of financial hardship. He would like to recommend the finance director and city manager review the requests

rather than a committee. If we make it too complicated he feels people will choose not to apply. Councilor Rierson stated he does not want the program to turn into a financial burden.

Councilor Bacon stated if you have citizens review them they may have issues with confidentiality.

Mayor Andrews asked if a household could be eligible for more than one of the programs we are offering. Mrs. Nordyke stated yes they can. Citizen Rate Review Committee (CRRC) only requested to review the requests that came from the non-profit groups.

Mayor Andrews opened the public testimony.

Mr. Hank Grum said he agreed with the short term necessity of the program with people being distressed because of the rate increases, but he disagreed with the principle of the assistance. He felt the reason citizens are in these positions is partly because of decisions that have been made recently by the Council and that the objective of municipal government is to provide for the common welfare of the citizens, rather than benefit of just a few. One problem he said is with fiscal priorities; he feels the March 15, 2010, decision for the Animal Shelter property to be donated to Habitat for Humanity and waiving certain fees is spreading the costs out over all citizens, but only benefiting two families. He opposed this approach and hoped that a different solution would be found next year.

Ms. Pat Haight stated she sees a lot of discrimination in the program because the low income people can prove they qualify a lot easier than someone like her who is unable to benefit from the program. She did not like the idea of rates increasing to cover the cost of funding the program to help people pay their utility bill and felt city government should not be in the business of social services. She felt it was an unfair program and that most citizens would not apply for the program. She felt the Council needed to look deeper into this and cut back costs.

Mayor Andrews closed public testimony.

Councilor Rierson felt this program was a good start; he wished to implement it quickly and make improvements in the future. He disagreed with some of the testimony because he felt it is Council's job to be compassionate towards the citizens and agreed the situation with those living in apartment complexes may need to be revisited. He hoped people would take advantage of the water audit to help save money. Staff said time limited the negotiation terms with landlords and apartment complexes, but agreed a way would need to be found to ensure any credits are passed on as savings to the renters.

Mayor Andrews discussed some numerical corrections with staff on pages nineteen and twenty concerning the amounts received currently and with additional funding. Grammatical corrections were suggested for clarity on page twenty-two beginning a sentence with "in addition to the one thousand dollars already budgeted..."

Councilor Rierson said he would like to see a chart rather the paragraph format, which could be unclear.

Councilor McKinney stated he was not in favor of proposal as it exists.

Councilor Witherspoon said he would be satisfied to amend eight to nine and to change program "costs" to "increases".

**MOTION: Rierson/Bacon to adopt Resolution No. 2010-2902** establishing a funded low income residential utility bill assistance program based upon information, outreach, water audits, plumbing rehabilitation, and direct utility bill credits, as amended and requesting staff to simplify the language to make it easier to understand.



Councilor McKinney felt the benefit of rate reduction would not be even-handed. He said he had hoped for something different from the proposal, such as an incentive for matching funds through grants. Low income citizens were getting assistance with more than just this program and felt this proposal would not address the needs of those falling through the cracks, he does not feel this is a program for rate payers.

Councilor Rierson said it is difficult to serve those who do not pay rates. He is not opposed to do work to serve those people falling through the cracks and rate payers will at least not see an increase until the CRRC meets again. He said this is not a plan that will address every need in the community, but he would like to do something in the right direction. In two years they can continue discussions to serve those not addressed with this program. He would rather support something positive now that helps a large majority rather than waiting until they come up with something that is perfect.

Councilor Bacon also agreed doing nothing because they are not doing enough was not the way to go. She felt the program was going in the right direction and she supported the resolution.

Discussions continued on the idea of matching funds with nonprofits receiving these monies and getting the CRRC to start an analysis and game plan to rectify the weak areas in the program.

Councilor McKinney continued with his concern for the lack of a mechanism to help the fifty-five and older group of citizens in Newberg who do not necessarily meet the low income status but are still struggling with the higher rates.

Mr. Danicic suggested the Council consider the current resolution and follow-up with a separate motion to address these other points. He also said a clean-up version of the resolution could be brought back on the Consent Calendar for the next meeting in order to not revisit the whole discussion.

Councilor McKinney wished to discuss the negative impact of the whole program in relation to funds CRRC was hoping to recoup based on their recommendations. He wondered if they would be able to achieve the goals anticipated with the recommended rate increase. Staff spoke of the original numbers used being more promising back in September than they are today which effects the intention for a 1% reserve account and noted revenue lost from conservation of water and paying lower rates does impact the goals for CRRC's initial intent.

**VOTE:** Councilor Rierson and Councilor Bacon agreed to withdraw their motion to adopt the resolution.

**MOTION:** Rierson/McKinney to table **Resolution No. 2010-2902** directing staff to return with corrections, but no substantive changes, which simplify the approval process for utility bill credits by having applications approved through the Finance Director and reviewed by the City Manager, rather than by the Citizen Rate Review Committee (CRRC), and to place it on the Consent Calendar for the June 21, 2010 City Council meeting. (5 Yes/0 No/1 Absent [Shelton]/1 Vacant) Motion carried.

## VIII. NEW BUSINESS

Consider a motion approving **Resolution No. 2010-2903** approving the replacement of the existing downtown fall banners with new banners.

*This item was heard out of agenda order and recorded above before the Public Hearing.*

## IX. COUNCIL BUSINESS

TIME – 9:12 PM

Councilor Rierson requested preparing an action plan with timing and funding shortfalls for the new Animal Shelter, showing where funds have been expended and the current balance to see where things stand. He felt this information would be useful to share with people for in-kind donations at their booth at the Old Fashioned Festival.


Councilor Witherspoon wished to discuss the traditional vs. a limited public forum to provide for more proficient meetings. Staff will begin working on the revision of the Council Rules in July; items like this will need to be included for these discussions.

Mayor Andrews asked about the process for reviewing candidates for the District No. 6 vacancy. Staff replied there was a late application received which needs to be discussed as well as how the Council wants to manage the process and vote. The Council agreed to accept the late application from Ernie Amundson, Jr. after staff explained the reasons. It was determined the candidates would be narrowed down to the top five and interviews would be conducted from predetermined questions that are sent to those five candidates beforehand. Voting would occur after some sort of grading system of their answers.

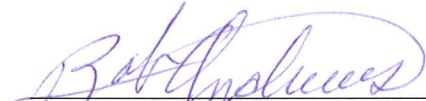
## **X. ADJOURNMENT**

The meeting adjourned at 10:14 PM.

**ADOPTED** by the Newberg City Council this 19<sup>th</sup> day of July, 2010.

  
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Norma I. Alley, City Recorder

**ATTEST** by the Mayor this \_\_\_\_ day of July, 2010.

  
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Bob Andrews, Mayor